



Customer No. 000959

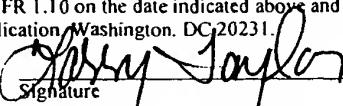
Case Docket No. GNN-028

THE COMMISSIONER FOR PATENTS
Box Patent Application
Washington, D.C. 20231

"Express Mail" Mailing Label Number EL 939865930 US

Date of Deposit February 15, 2002

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Box Patent Application Washington, DC 20231.


Signature

Larry Taylor

Please Print Name of Person Signing

RECEIVED

JUN 26 2002

OFFICE OF PETITIONS

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Richard M. O'Hara, Jr. and Ann Marie Nagelin

For: Agents that Specifically Block CD28-Mediated Signaling and Uses Therefore

Enclosed are:

This is a request for filing a continuation divisional application under 37 CFR 1.53(b) of pending prior application serial no. _____ filed on _____ entitled _____.

3 pages of Application Data Sheet

49 pages of specification. 3 pages of claims, 1 pages of abstract.

4 sheets of informal drawings

3 sheets of Sequence Listing

6 pages of unexecuted Declaration, Petition and Power of Attorney.

An assignment of the invention to _____ A recordation form cover sheet (Form PTO 1595) is also enclosed.

Applicant claims small entity status. See 37 CFR 1.27.

Transmittal Letter for Diskette Containing Sequence Listing along with Diskette Containing Sequence Listing

The filing fee has been calculated as shown below:

(Col. 1)	(Col. 2)
FOR:	NO. FILED
BASIC FEE	//////////
TOTAL CLAIMS	33 - 20 = 13
INDEP. CLAIMS	6 - 3 = 3
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED	

* If the difference in Col. 2 is less than zero,
enter "0" in Col. 2.

SMALL ENTITY	
RATE	FEES
//////////	\$
x 9=	\$
x 42	\$
+140	\$
TOTAL	0

SMALL ENTITY	
RATE	FEES
//////////	\$ 740
x 18=	\$ 234
x 84	\$ 252
+280	\$ 280
TOTAL	\$1506.00

Please charge my Deposit Account No. 12-0080 in the amount of \$.
A duplicate copy of this sheet is enclosed.

A check in the amount of \$ \$1506.00 to cover the filing fee is enclosed.

1468-0012

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-0080.
A duplicate copy of this sheet is enclosed.

Any additional filing fees required under 37 C.F.R. 1.16.
 Any patent application processing fees under 37 C.F.R. 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.
A duplicate copy of this sheet is enclosed.

Any patent application processing fees under 37 C.F.R. 1.17.
 The issue fee set in 37 C.F.R. 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).
 Any filing fees under 37 C.F.R. 1.16 for presentation of extra claims.

A check in the amount of \$ _____ to cover the recording of assignment documents is also enclosed.

Address all future communications (May only be completed by applicant, or attorney or agent of record) to Amy E. Mandragouras, Esq. at Customer Number: 000959 whose address is:

Lahive & Cockfield, LLP
28 State Street
Boston, Massachusetts 02109

Date: February 15, 2002

LAHIVE & COCKFIELD, LLP
Attorneys at Law

By 
Megan E. Williams, Esq.
Reg. No. 43,270
28 State Street
Boston, MA 02109
(617) 227-7400
Telecopier (617) 742-4214



LAHIVE
&
COCKFIELD
L L P

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahive.com



JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNKI
RALPH A. LOREN
GIULIO A. DECONTI, JR.
ANN LAMPORT HAMMITTE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN FORAN SMITH
PETER C. LAURO
JEANNE M. DIGIORGIO
DEBRA J. MILASINCIC, Ph.D.
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER

CYNTHIA L. KANIK, Ph.D.
MEGAN E. WILLIAMS, Ph.D.
RICA NAND
MICHAEL PHILLIPS *
LISA M. DIROCCO
HATHAWAY P. RUSSELL **
MARIA LACOTRIPE ZACHARAKIS, Ph.D.
PETER A. DIMATTIA
VINCENT P. LOCCISANO
MERIDETH C. ARNOLD

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.
SIBLEY P. REPPERT

PATENT AGENTS
THEODORE R. WEST
SHAYNE Y. HUFF, Ph.D.
DANIEL B. KO

TECHNICAL SPECIALISTS
CYNTHIA M. SOROS
PETER W. DINI, Ph.D.
EUIHOON LEE
JENNIFER K. ROSENFIELD
ALLAN TAMESHTIT, Ph.D.
CATHERINE E. MCPHERSON
ERIC F. WAGNER, Ph.D.
SHAHID HASAN, Ph.D.
JACOB G. WEINTRAUB
JONATHAN M. SPARKS, Ph.D.
CRISTIN E. HOWLEY, Ph.D.

* Admitted in NY only

** Admitted in TX only

June 12, 2002

COPY OF PAPERS
ORIGINALLY FILED

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 10/076,934
Applicants: Richard M. O'Hara, Jr., *et al.*
Filed: February 15, 2002
Title: *"Agents That Specifically Block CD28-Mediated Signaling and Uses Therefor"*
Attorney Docket No.: GNN-028

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Petition to Correct Filing Date Pursuant to 37 C.F.R. §1.10(c);
2. Copy of Application Transmittal Letter dated February 15, 2002;
3. Copy of the return postcard made prior to the deposit of the application;
4. Copy of the Express Mail mailing label;
5. Copy of the return postcard, date-receipt stamped by the Patent Office;
6. A return receipt postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope Addressed to: Commissioner for Patents, Washington, DC 20231 on:

June 12, 2002

Date

Amy E. Mandragouras, Esq., Reg. No. 36,207

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Amy E. Mandragouras, Esq.
Reg. No. 36,207
Attorney for Applicants

RECEIVED

JUN 26 2002

OFFICE OF PETITIONS



COPY OF PAPERS
ORIGINALLY FILED

Office No. GNN-028

THE "RECEIVED" STAMP OF THE PATENT AND TRADEMARK OFFICE
IMPRINTED HEREON ACKNOWLEDGES THE FILING OF:

Description of Paper* and No.: Transmittal (2 pgs., *in duplicate*); Application Data Sheet (3 pgs.); Patent Application, including 49 pgs. of specification, 3 pgs. of claims, 1 pg. of abstract, 4 pgs. of informal drawings and 3 pgs. of sequence listing; *Unexecuted Declaration, Petition and Power of Attorney* (6 pgs.); Transmittal Letter for Diskette Containing Sequence Listing (1 pg.); Diskette Containing Sequence Listing; check for \$1506.00 (filing fee and extra claims); this prepaid acknowledgment postcard.

Title: *AGENTS THAT SPECIFICALLY BLOCK CD28-MEDIATED SIGNALING AND USES THEREFOR*

Name of Applicant(s): Richard M. O'Hara, Jr., *et al.*

Int'l. or Serial No.: Not Yet Assigned

Attorneys: MEW/SYH/Ig

Date: February 15, 2002

*with Certificate of Express Mailing No. EL 939865930 US

RECEIVED
JUN 26 2002
OFFICE OF PETITIONS

COPY OF PAPERS
ORIGINALLY FILED



Office No. GNN-028

THE "RECEIVED" STAMP OF THE PATENT AND TRADEMARK OFFICE
IMPRINTED HEREON ACKNOWLEDGES THE FILING OF:

Description of Paper* and No.: Transmittal (2 pgs., *in duplicate*); Application Data Sheet (3 pgs.); Patent Application, including 49 pgs. of specification, 3 pgs. of claims, 1 pg. of abstract. 4 pgs. of informal drawings and 3 pgs. of sequence listing; *Unexecuted* Declaration, Petition and Power of Attorney (6 pgs.). Transmittal Letter for Diskette Containing Sequence Listing (1 pg.); Diskette Containing Sequence Listing; check for \$1506.00 (filing fee and extra claims); this prepaid acknowledgment postcard.

Title: *AGENTS THAT SPECIFICALLY BLOCK CD28-MEDIATED SIGNALING AND USES THEREFOR*

Name of Applicant(s): Richard M. O'Hara, Jr., *et al.*

Int'l. or Serial No.: Not Yet Assigned

Attorneys: MEW/SYH/lg

Date: February 15, 2002

jc971 U.S. PTO
10/076934

*with Certificate of Express Mailing No. EL 939865930 US

02/19/02

COPY

RECEIVED
JUN 26 2002
OFFICE OF PETITIONS

LAHIVE

&

COCKFIELD

L L P

COUNSELLORS AT LAW

28 STATE STREET

BOSTON, MASSACHUSETTS 02109-1784

TELEPHONE (617) 227-7400

FAX (617) 742-4214

lc@lahive.com



JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, JR.
ANN LAMPORT HAMMITTE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN FORAN SMITH
PETER C. LAURO
JEANNE M. DIGIORGIO
DEBRA J. MILASINIC, Ph.D.
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER

CYNTHIA L. KANIK, Ph.D.
MEGAN E. WILLIAMS, Ph.D.
RICA NAND
MICHAEL PHILLIPS *
LISA M. DIROCCO
HATHAWAY P. RUSSELL **
MARIA LACCOOTRIPE ZACHARAKIS, Ph.D
PETER A. DIMATTIA
VINCENT P. LOCCISANO
MERIDETH C. ARNOLD

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.
SIBLEY P. REPPERT

PATENT AGENTS
THEODORE R. WEST
SHAYNE Y. HUFF, Ph.D.
DANIEL B. KO

TECHNICAL SPECIALISTS
CYNTHIA M. SOROS
PETER W. DINI, Ph.D.
EUIHOON LEE
JENNIFER K. ROSENFIELD
ALLAN TAMESHTIT, Ph.D.
CATHERINE E. McPHERSON
ERIC F. WAGNER, Ph.D.
SHAHID HASAN, Ph.D.
JACOB G. WEINTRAUB
JONATHAN M. SPARKS, Ph.D.
CRISTIN E. HOWLEY, Ph.D.

* Admitted in NY only

** Admitted in TX only

June 12, 2002

COPY OF PAPERS
ORIGINALLY FILED

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 10/076,934
Applicants: Richard M. O'Hara, Jr., *et al.*
Filed: February 15, 2002
Title: *"Agents That Specifically Block CD28-Mediated Signaling and Uses Therefor"*
Attorney Docket No.: GNN-028

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice to File Missing Parts of Non-Provisional Application (in duplicate);
2. Request for One (1) Month Extension of Time (in duplicate);
3. Copy of Formalities Letter;
4. Executed Declaration, Petition and Power of Attorney for Patent Application(6 pages);
5. Four (4) sheets of substituted drawings (Figs. 1-4) with indicia; and
6. Acknowledgement postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any further extensions of time necessary to respond. A duplicate of this sheet is enclosed.

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, DC 20231 on:

June 12, 2002

Date

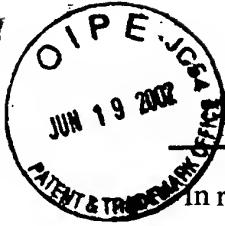
Amy E. Mandragouras, Esq., Reg. No. 36,207

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Amy E. Mandragouras, Esq.
Reg. No. 36,207
Attorney for Applicants

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the application of: Richard M. O'Hara, Jr., *et al.*

Serial No.: 10/076,934

Filed: February 15, 2002

For: **AGENTS THAT SPECIFICALLY BLOCK
CD28-MEDIATED SIGNALING AND USES
THEREFOR**

Attorney Docket No.: GNN-028

Group Art Unit: 1614

Examiner: Not Yet Assigned

**COPY OF PAPERS
ORIGINALLY FILED**

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

June 12, 2002

Date of Signature and of Mail Deposit

By:

Amy E. Mandragouras, Esq.
Reg. No. 36,207

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NON-PROVISIONAL APPLICATION**

Dear Sir:

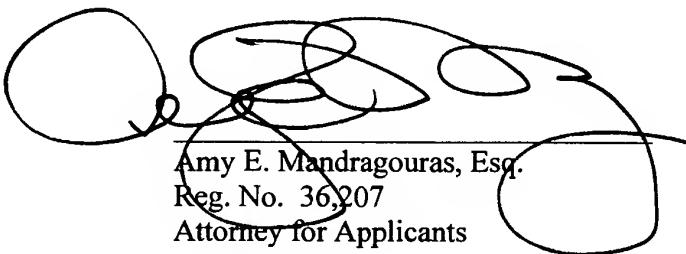
Responsive to the Notice to File Missing Parts of Non-Provisional Application dated March 18, 2002, Applicants' attorney submits herewith an executed Declaration, Petition and Power of Attorney for the above-identified patent application.

Applicants' attorney further submits four sheets of substitute drawings (Figures 1-4) with indicia in compliance with 37 CFR 1.84.

**COPY OF PAPERS
ORIGINALLY FILED**

The Commissioner is hereby authorized to charge the amount of the **\$130.00** surcharge based on large entity status to Deposit Account No. 12-0080. A copy of the Formalities Letter is also enclosed. Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,



Amy E. Mandragouras, Esq.
Reg. No. 36,207
Attorney for Applicants

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: June 12, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/076,934	02/19/2002	Richard M. O'Hara JR.	GNN-028

CONFIRMATION NO. 3689

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

FORMALITIES LETTER



OC000000007659020

Date Mailed: 03/18/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

- more than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1));
- drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

10076934

120080

130.00 CH

130.00 CH

01 FC:105

06/24/2002

EFRAEY1 00000089 120080

A copy of this notice MUST be returned with the reply.

James M.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

**COPY OF PAPERS
ORIGINALLY FILED**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Richard M. O'Hara, Jr., et al
Serial No.: 10/076,934

Filed: **February 15, 2002**

For: AGENTS THAT SPECIFICALLY BLOCK CD28-MEDIATED SIGNALING AND USES THEREFOR

Attorney Docket No.: GNN-028

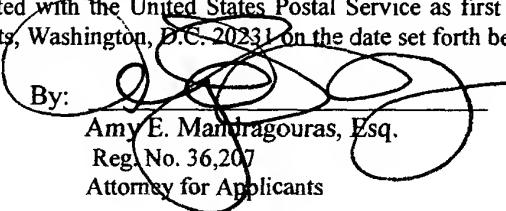
COPY OF PAPERS
ORIGINALLY FILED

Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

By:


Amy E. Mandragouras, Esq.
Reg. No. 36,207
Attorney for Applicants

June 12, 2002
Date of Signature and of Mail Deposit

PETITION TO CORRECT FILING DATE PURSUANT TO 37 C.F.R. §1.10(c)

Dear Sir:

Applicants hereby request, pursuant to 37 C.F.R. §1.10(c), that the filing date of US Patent Application No. 10/076,934 be corrected from February 19, 2002, the filing date accorded by the Patent Office as stamped on the return postcard filed with the application, to February 15, 2002, the actual United States Postal Service ("USPS") deposit date.

In support of their request for correction, Applicants attach hereto copies of the following documents as evidence of the actual filing date of February 15, 2002 for the above-referenced application:

(1) a true copy of the Application Transmittal Letter dated February 15, 2002, made prior to deposit of the application with the United States Postal Service, describing the papers which constituted the application filing package, and bearing a certification of Express Mailing **RECEIVED**

JUN 26 2002

OFFICE OF PETITIONS

(Express Mail Label No. **EL 939 865 930 US**) indicating that the application filing package was deposited with the United States Postal Service "Express Mail Post Office to Addressee" on **February 15, 2002** by Larry Taylor;

(2) a true copy of the return postcard, made prior to deposit of the application with the United States Postal Service, originally filed with the above-referenced application, describing the papers that constituted the filing package and indicating the deposit into "Express Mail" on **February 15, 2002** with Certificate of Express Mailing No. **EL 939 865 930 US**.

(3) a true copy of the "Express Mail" mailing label No. **EL 939 865 930 US**, bearing the "date in" of **February 15, 2002 and also bearing the official United States Postal Service/ BOSTON, MA 02205 date stamp of February 15, 2002** in the upper right-hand corner of the Express Mail label, indicating that the application package was in fact deposited with the United States Postal Service "Express Mail Post Office to Addressee" on **February 15, 2002**; and

(4) a copy of the return postcard, date-receipt stamped by the Patent Office with the incorrect date of February 19, 2002, describing the papers that constituted the filing package and indicating the deposit into "Express Mail" on **February 15, 2002** with Certificate of Express Mailing No. **EL 939 865 930 US**.

Applicants respectfully submit that the United States Patent and Trademark Office *incorrectly* accorded the above-referenced application a filing date of **February 19, 2002**. The undersigned became aware of this error and promptly took action to correct the error.

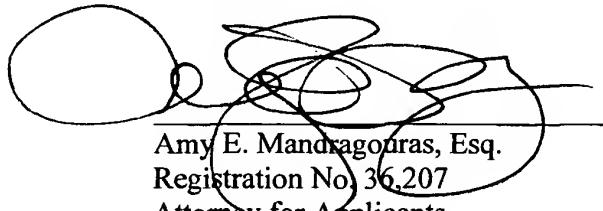
Therefore, in accordance with 37 C.F.R. §1.10(c)(1) and (2), Applicants hereby promptly submit the aforementioned items (1) and (2) which establish that the "Express Mail" mailing label was placed on the application papers that constituted the correspondence prior to the original mailing by "Express Mail". Further, in accordance with 37 C.F.R. §1.10(c)(3), Applicants submit herewith a true copy of the Express Mail label no. **EL 939 865 930 US** (item (3) above) which indicates a "date in" of **February 15, 2002 and also bears the official United States Postal Service/ BOSTON, MA 02205 date stamp of February 15, 2002** in the upper right-hand corner of the Express Mail label. This true copy, together with items (1) and (2) above conclusively establish that the instant application was deposited with the United States Postal Service "Express Mail" on February 15, 2002 and is therefore entitled to a filing date of February 15, 2002.

In summary, Applicants respectfully request that the present Petition be granted and that the filing date of US Patent Application No. 10/076,934 be corrected from February 19, 2002 to **February 15, 2002**.

No fees are believed to be due in connection with this communication. However, please charge any necessary fees to our Deposit Account No. 12-0080. A duplicate of this document is enclosed.

Please contact the undersigned at 671-227-7400 with any questions.

Respectfully submitted,
LAHIVE & COCKFIELD, LLP



Amy E. Mandragouras, Esq.
Registration No. 36,207
Attorney for Applicants

28 State Street Date
Boston, MA 02109
Phone: (617) 227-7400

June 12, 2002

RECEIVED
JUN 26 2002
OFFICE OF PETITIONS